



United States Department of the Interior
FISH AND WILDLIFE SERVICE

UTAH FIELD OFFICE

2369 WEST ORTON CIRCLE, SUITE 50
WEST VALLEY CITY, UTAH 84119

RECEIVED

DEC 17 2004

WATER & MINING

December 13, 2004

In Reply Refer To

FWS/R6

ES/UT

05-0189

Charles Williamson, Stream Alteration Specialist
Utah Division of Water Rights
1594 West North Temple, Suite 220
Box 146300
Salt Lake City, Utah 84114-6300

RE: Stream Channel Alteration Application No. 04-63-09SA, Charles Billingsley, Fish Creek,
Piute County

Dear Mr. Williamson:

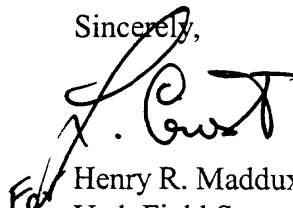
We have reviewed the referenced Stream Channel Alteration Application. The applicant proposes to dredge for placer gold in Fish Creek, in Piute County, Utah. We are providing the following comments for your consideration.

Fish Creek is not on the list of streams approved for dredging by mechanical means. Steve Winslow, the minerals contact for Fishlake National Forest, has indicated that Fish Creek is a valuable spawning stream for trout in the watershed, so it has been kept off the list of streams open to recreational dredging. The Fish and Wildlife Service recommends this permit be denied as it would violate state and federal regulations.

This response has been prepared under the authority of and in accordance with the provisions of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) and the Endangered Species Act (16 U.S.C. 1531 et seq.) and represents Department of Interior comments on this application.

Thank you for the opportunity to review and comment on this application. If you have any questions or need further information please contact Chris Witt, Ecologist, at (801) 975-3330 ext. 133.

Sincerely,


Henry R. Maddux
Utah Field Supervisor

cc:

EPA-Denver

UDWR-SLC

COE-Bountiful

Utah Division of Oil, Gas and Mining, Department of Natural Resources, Box 145801, ✓
Salt Lake City, Utah 84114-5801